



ILLINOIS PORK PRODUCERS ASSOCIATION

May 6, 2003

Kenneth R. Payne
Chief, Marketing Programs Branch,
Room 2638-S; Livestock and Seed Program
Agricultural Marketing Service
USDA; STOP-0251
1400 Independence Ave., SW
Washington, DC 20250-0251

RE: Comments on LS-02-15

Dear Sir:

On behalf of the Illinois Pork Producers Association and the pork producers in Illinois, I would like to offer the following comments on Docket Number LS-02-15 regarding USDA's proposed rules related to the Pork Promotion, Research, and Consumer Information Program.

We believe that USDA has the responsibility to identify and determine the total universe of producers that the Pork Act covers. Since the pork checkoff does not have complete compliance, the rule as proposed should be modified to not just focus on the remitters of checkoff. While the focus on remitters is partially appropriate, it is not complete to meet the objective of determining all producers or importers covered by the Pork Act and its regulations.

There are a significant number of producers who are not readily identifiable by just going to the "customer lists" of markets and packers. Procedures and processes should be included in the regulations that would further search and identify unique marketing arrangements that producers are involved in. These could include producers involved in: marketing groups, use of secondary agents, pooling, niche marketing, direct sales, consignment sales, etc. These different types of marketings or representation of a producer and his or her production needs to be more fully covered in the rules.

In the past USDA has defined a pork producer as a person selling one or more pigs. This definition has been used in determining voting eligibility in the checkoff referendum. This same criteria should be used in determining the total universe of producers. If producers are eligible to vote in a referendum, they should be counted in the total group of producers.

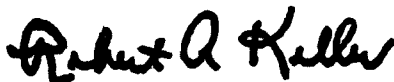
There are many small producers covered by the Pork Checkoff with many unique marketing systems that may not be remitting checkoff. USDA needs to use sources outside the National Pork Board's remitter list to identify producers (i.e., USDA's 2002 Ag Census; youth groups - 4-H and FFA; private mailing lists; state animal health records; etc.).

For example in Illinois there are 3689 4-Hers that have a swine project. A large majority of these 4-Hers show their pigs at county fairs, as well as the State fair. Most of these pigs are sold after the fair through a buying station or company to the processor. Often times, the buyer will purchase the pigs from the 4-Hers and then sell the pigs to the processor. This example results in the buyer being listed as one checkoff remitter, when in reality the total number of producers would be several thousand. This is just one example of the flawed approach that USDA has proposed to determine the total universe of pork producers.

In summary, we would urge the USDA to expand, define and issue a regulation that would lead to better identifying all producers and importers covered by the Pork Checkoff program. This should not only include Pork Board remitters records, but those sources USDA has access to in the different areas of the government, USDA, state and national health records, and other public and commercial sources.

Thank you for your consideration of these comments.

Sincerely,



Bob Keller, President
Illinois Pork Producers Association